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Paper 3

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

THALIA PAPAYANNOPOULOU
Junior Party
(U.S. Patent No. 5,843,438),

v.

BORIS MASINOVSKY, WILLIAM M. GALLATIN
PAUL J. SIMMONS
Senior Party
(U.S. Application No. 08/448,649).

Patent Interference No. 105,378 (MPT)
(Technology Center 1600)

REDECLARATION - Bd. R. 203(c)

Michael P. Tierney, *Administrative Patent Judge*.

An oral argument was held in this interference on August 24, 2006. A bench decision ***granted*** Papayannopoulou Substantive Motion 1 (Paper No. 33), which requests that the Board substitute proposed Count A for the current Count 1, the sole count in interference.

1 The Count

2 Pursuant to the bench decision granting Papayannopoulou Substantive Motion 1, the
3 interference is redeclared with new Count A, which reads as follows:

4 A method of peripherilizing CD34+ cells in vivo comprising the step of
5 administering an anti-VCAM-1 antibody which blocks the binding of VLA-4
6 antigen on the surface of the CD34+ cells to VCAM-1.

7 (Paper No. 33, p. 2).

8 Claim Correspondence

9 Papayannopoulou Substantive Motion 1 specifically provides that the claim
10 correspondence remains the same as that provided for in the Notice Declaring Interference (Paper
11 No. 1). (Paper No. 33, p. 12). As such, the parties claim correspondence for Count A is as
12 follows:

13 The claims of the parties are:

14 Masinovsky, U.S. Application 08/448,649: 30-33
15 Papayannopoulou, U.S. Patent 4,843,438: 1-14

16 The claims of the parties which correspond to Count 1 are:

17 Masinovsky, U.S. Application 08/448,649: 30, 32-33
18 Papayannopoulou, U.S. Patent 4,843,438: 1-14

19 The claims of the parties which do not correspond to Count 1, and therefore are not
20 involved in the interference, are:

21 Masinovsky, U.S. Application 08/448,649: 31
22 Papayannopoulou, U.S. Patent 4,843,438: None

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) BOARD OF PATENT

) APPEALS AND

) INTERFERENCES

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